

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

TENTATIVE ORDER NO. R9-2003-0304

**ASSESSMENT OF
ADMINISTRATIVE CIVIL LIABILITY
WITH MANDATORY MINIMUM PENALTY
AGAINST
THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY
DISCHARGE TO THE PACIFIC OCEAN THROUGH THE SAN JUAN CREEK
OCEAN OUTFALL
FOR VIOLATION OF ORDER NO. 2000-13**

The San Diego Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), having held a public hearing on August 13, 2003, to hear evidence and comments on the allegations contained in Complaint No. R9-2003-0251, dated May 30, 2003, and on the recommendation for administrative assessment of Civil Liability pursuant to California Water Code section 13385 in the amount of \$3,000 finds as follows:

1. The South Orange County Wastewater Authority (SOCWA) was issued waste discharge requirements pursuant to Order No. 2000-13 for the discharge of treated wastewater to the Pacific Ocean through the San Juan Creek Ocean Outfall.
2. The Discharger Self-Monitoring Report submitted by SOCWA for December 2002 indicates a serious violation of Order No. 2000-13 that occurred on December 24, 2003. This violation was due to an effluent limitation exceedance of settleable solids (SS) concentration (Group I pollutant).
3. Under California Water Code section 13385(h), the amount of the mandatory minimum penalty that must be assessed for a serious violation is \$3,000.
4. Consideration of the information available to the Regional Board prior to the hearing and described in greater detail in Complaint No. R9-2003-0251 supports assessment of civil liability pursuant to Water code section 13385(h) in the amount of \$3,000.
5. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Code of Regulations.

IT IS HEREBY ORDERED that pursuant to section 13385 of the California Water Code, civil liability is imposed on the South Orange County Water Authority in the amount of three thousand dollars (\$3,000) and that the rationale for the assessment contained in Complaint No. R9-2003-0251 is hereby incorporated into this Order.

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order imposing civil liability assessed by the California Regional Water Quality Control Board, San Diego Region, on August 13, 2003.

TENTATIVE

JOHN H. ROBERTUS
Executive Officer